

MEMO ENDORSED

December 31, 2019

VIA ECF

Hon. Katherine Polk Failla
United States District Court
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: Piotrowicz v. Techtronic Industries North America, et al.
Letter Motion to Transfer to White Plains
Civil Action No.: 1:19-cv-11522

Dear Judge Failla:

This office represents the Defendants in the above matter.

We are in receipt of Your Honor's Memo Endorsement of December 30th (Dkt. No. 30) in which the Court denied Defendants' Motion to Transfer this matter to White Plains.

Please accept this as Defendants' motion under the appropriate federal rules, including FRCP no. 60, for Leave to reargue and reconsider Defendants' Motion to Transfer. The grounds for Defendants' request are two-fold:

1. It is respectfully submitted that the Court mistakenly considered the location of Plaintiff's current treating medical providers, and his current physical condition and residency, in rendering its Memo Endorsement, although these criteria are not among those set forth in considering assignments under Rule 18 of the Southern District's Rules for the Division of Business among District Judges;
2. The Court's decision does not set forth which of the Rule 18 criteria supports and warrants the continuation of this litigation in Manhattan.

The Defendants will expand upon these arguments in greater detail upon the Court's granting of this motion for Leave.

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Thank you for considering Defendants' request.

Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP

/S/

Rosario M. Vignali
RV/bs

cc: Rosenberg, Minc, Falkoff & Wolff, LLP (via ECF)

Application GRANTED. Defendants may file a letter brief of no more than three pages, single-spaced, on or before **January 9, 2020**. Plaintiff may file a response letter of no more than three pages, single-spaced, on or before **January 16, 2020**.

Dated: January 2, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE